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7 APRIA HEALTHCARE GROUP INC.

8  
9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11  
12 FRANK GUTIERREZ, individually and  
on behalf of all others similarly situated,

13 Plaintiff,

14 vs.

15 APRIA HEALTHCARE GROUP INC.  
16 and DOES 1 through 10, inclusive,

17 Defendants.  
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) Case No. 8:17-cv-00595-DOC-KES  
[Assigned to the Hon. David O. Carter]

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21 **STIPULATED DISMISSAL**

22 Action Filed: April 3, 2017  
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1 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties through their  
2 undersigned counsel hereby stipulate to dismissal of Plaintiff's individual claims in  
3 this action with prejudice, and dismissal of the putative class claims without  
4 prejudice, with each party to bear their own costs and fees. All signatories listed  
5 below, and on whose behalf the filing is submitted, concur in this filing's content and  
6 have authorized this filing.

7  
8 DATED: July 28, 2017

LAW OFFICES OF TODD M. FRIEDMAN, P.C.  
TODD M. FRIEDMAN  
ADRIAN R. BACON

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11 By: /s/ Adrian R. Bacon

12 Adrian R. Bacon  
13 Attorneys for Plaintiff  
14 FRANK GUTIERREZ

15 DATED: July 28, 2017

DAVIS WRIGHT TREMAINE LLP  
SEAN M. SULLIVAN

16  
17  
18 By: /s/ Sean M. Sullivan

19 Sean M. Sullivan  
20 Attorneys for Defendant  
21 APRIA HEALTHCARE GROUP INC.